

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

NOV 02 2012

MONTY E. HAMLOR,

Petitioner,

vs.

HAROLD W. CLARKE, DIRECTOR,

Respondent.

) CASE NO. 7:12CV00397

) FINAL ORDER

) By: James C. Turk  
) Senior United States District Judge

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** without prejudice; petitioner's motion to certify (ECF No. 2) is **DISMISSED** as moot; and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 2<sup>nd</sup> day of <sup>November</sup>~~October~~, 2012.

*[Signature]*  
Senior United States District Judge